

DWI COURTS

THE NEW WAVE



Judge Darrell W. Stevens
Superior Court of California

The equivalent of 16
Busloads of persons are
injured EACH DAY as a result
of DWI Crashes







A DWI Related Fatality Occurs Every 30 Minutes in the US



Alcohol in America

109 million Americans drink alcohol

25.1 million Americans reported driving under the influence of alcohol at least once in the past 12 months.

Approximately 1.5 million were arrested: 1 out of every 130 licensed drivers.

Alcohol was involved in 41 % of all fatal crashes last year

Drivers with a BAC of .15 or above are 385 times more likely to be involved in a crash

Repeat DUI/DWI Offenders

Over a third (37%) of DWI/DUI offenders are already under probation supervision at arrest and about half (47%) of those in jail or prison have prior DWI /DUI convictions.

One third of all drivers arrested for DWI/DUI are repeat offenders; fatally injured drivers with a BAC over .08 or greater are 5 times more likely to have a prior conviction

“One by one Americans are needlessly falling through dangerous gaps in the drunk driver control system in nearly every state and community.”

(Millie Webb, MADD, 2002)

Driving Under the Influence of Illicit Drugs

11 million Americans reported driving under the influence of an illicit drug at some time in 2003.

Most (77%) had also driven under the influence of alcohol.

So What Do We Do?
Just wring our hands
and worry?



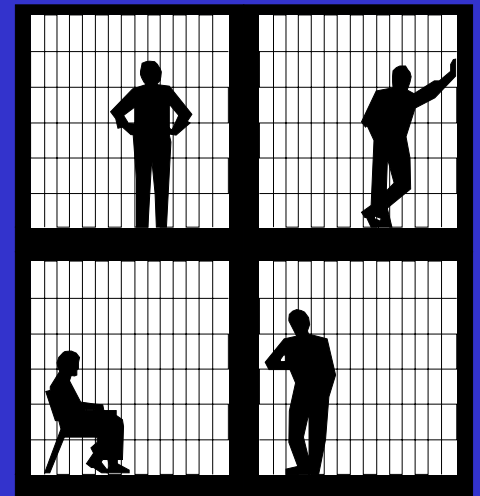
How Do We Protect Our Communities?

Punishment?
or
Rehabilitation?
Or
??



What if we JUST put them in PRISON?

29.9% of prisoners released in 1994 in 15 states were rearrested within 6 months, and 67% are rearrested within 3 years. (BJS, 2002)



What if we JUST Put Them in PRISON?

Criminal Recidivism in 3 Years

- 68% arrested for new crime
- 47% convicted of new crime
- 25% incarcerated for new crime
- 50% re-incarcerated for violations



Relapse to Substance Abuse in 3 Years

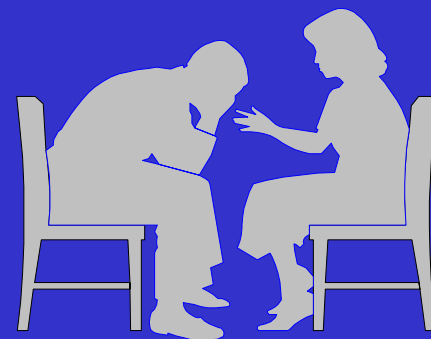
- 95% relapse

(University of Penn, 2002)

What if we **JUST REFER** Them to **TREATMENT?**

Attrition

- 50% to 67% don't show for intake
- 40% to 80% drop out in 3 months
- 90% drop out in 12 months



Outcomes

40% to 60% of clients abstinent at 1 year
(of the 10% who are still there at 12 months)

Does Treatment Work in Combating Substance Abuse?

YES...

but

Not if the addict or alcoholic

Isn't there!

Coercion in the Private Sector

NIAAA reports that “employees who are pressured into treatment by their employers are more likely to recover from their alcoholism and improve their performance than those who are not pressured.”

Coercion in the Criminal Justice System

A report from the Institute of Medicine summarized that “contrary to earlier fears among clinicians, criminal justice pressure does not threaten treatment effectiveness, and it probably improves outcomes.

Research Findings

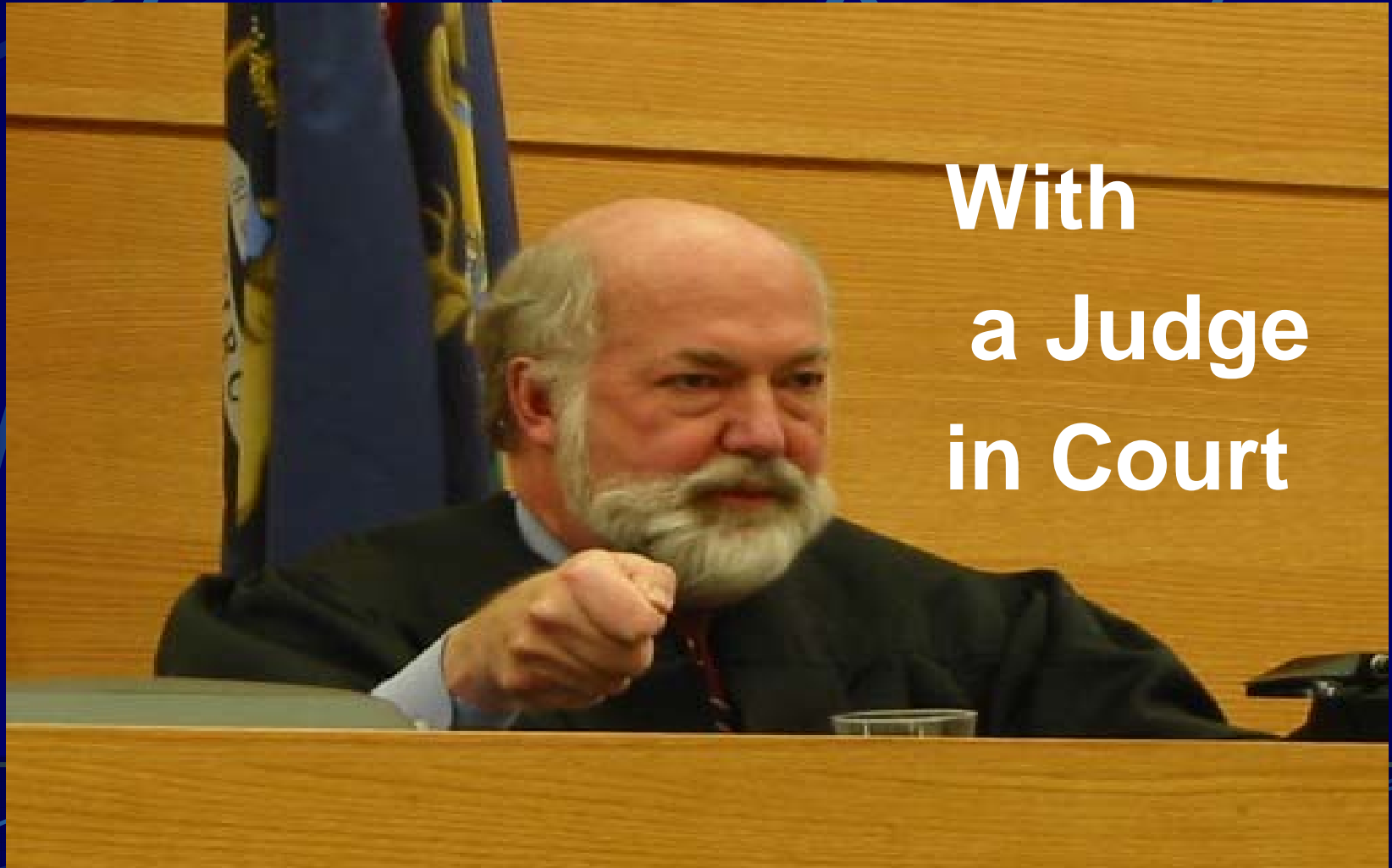
- **The length of time a patient spends in treatment is a reliable predictor of his or her post treatment performance.**

Beyond a ninety-day threshold, treatment outcomes improved in a direct relationship to the length of time spent in treatment, with one year generally found to be the minimum effective duration of treatment.

- **Coerced patients tend to stay longer.**

How Do We Coerce Treatment?

**With
a Judge
in Court**



Using The Drug Court Model

A Drug Court is a reality-based
common-sense approach to the
drug/alcohol offender

Its purpose:

To expedite the time interval to get offenders into accountability and treatment QUICKLY;

To keep the individual engaged in treatment long enough to receive treatment benefits

Drug Courts Save Tax Dollars

- New York: \$254 Million Saved
- California: \$43 Million Saved
- Dallas: \$9.43 savings for every \$1 spent
- Oregon: \$10 savings for every \$1 spent
- Washington: \$6,779 per drug court client
- Butte County: \$200,000 saved annually
for every 100 participants

So we use the Drug Court
Model for DWI Courts
and save money and lives

The Traditional Justice System

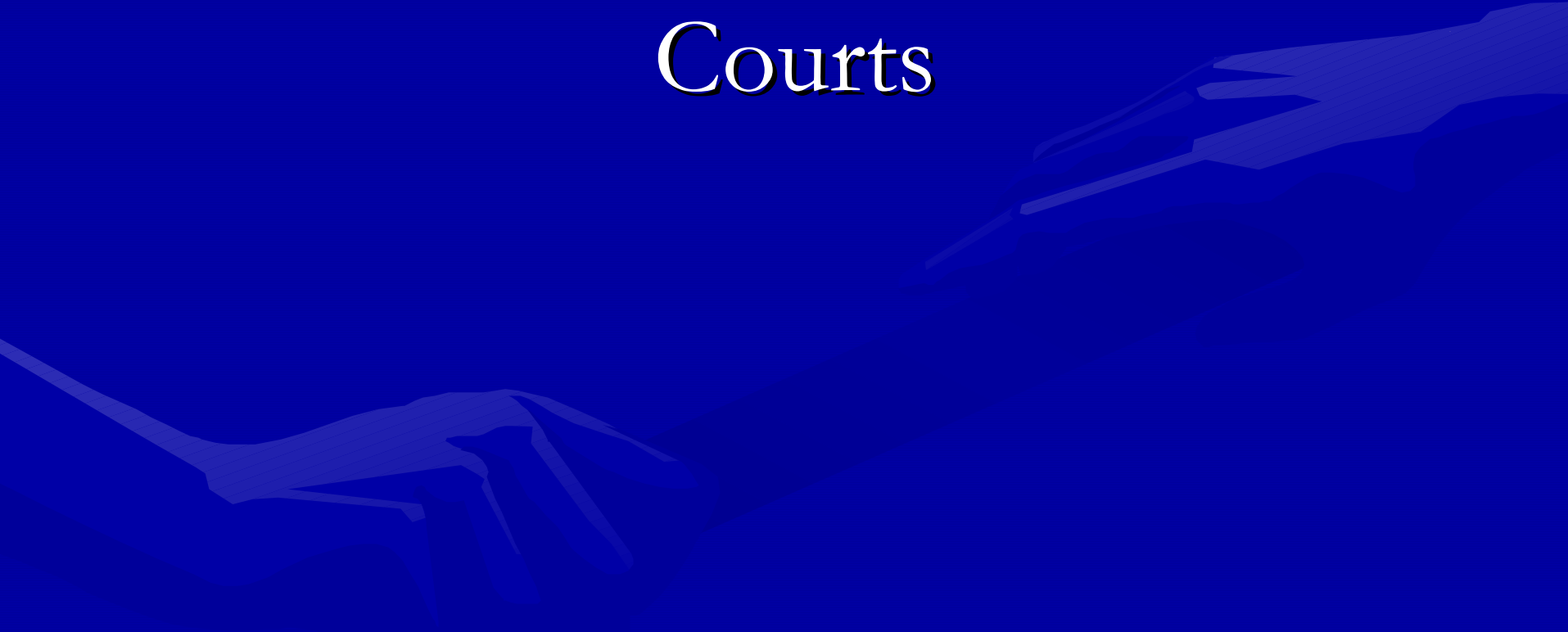
Constant Delays

Lack of Accountability During the Process

Lack of Treatment Response During the Process

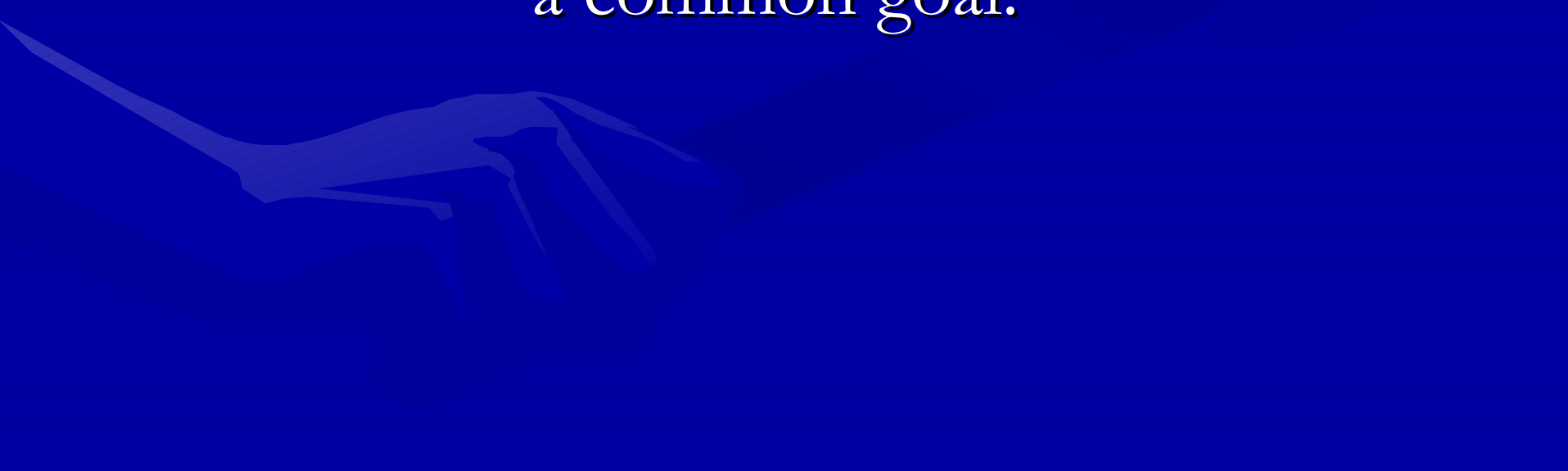
Little to No Deterrent Effect of Disposition

The Critical Elements of DWI Courts



Critical Element 1

Using a non-adversarial approach,
criminal justice stakeholders and
treatment experts work **together** toward
a common goal.

A faint, stylized illustration of two hands shaking, symbolizing agreement or partnership, is visible in the lower half of the slide.

Critical Element 2

Eligible participants are identified early and promptly placed in DWI court.

Critical Element 3

DWI court provides a full continuum of alcohol, drug and other related treatment and rehabilitation services

Education

Counseling

Testing

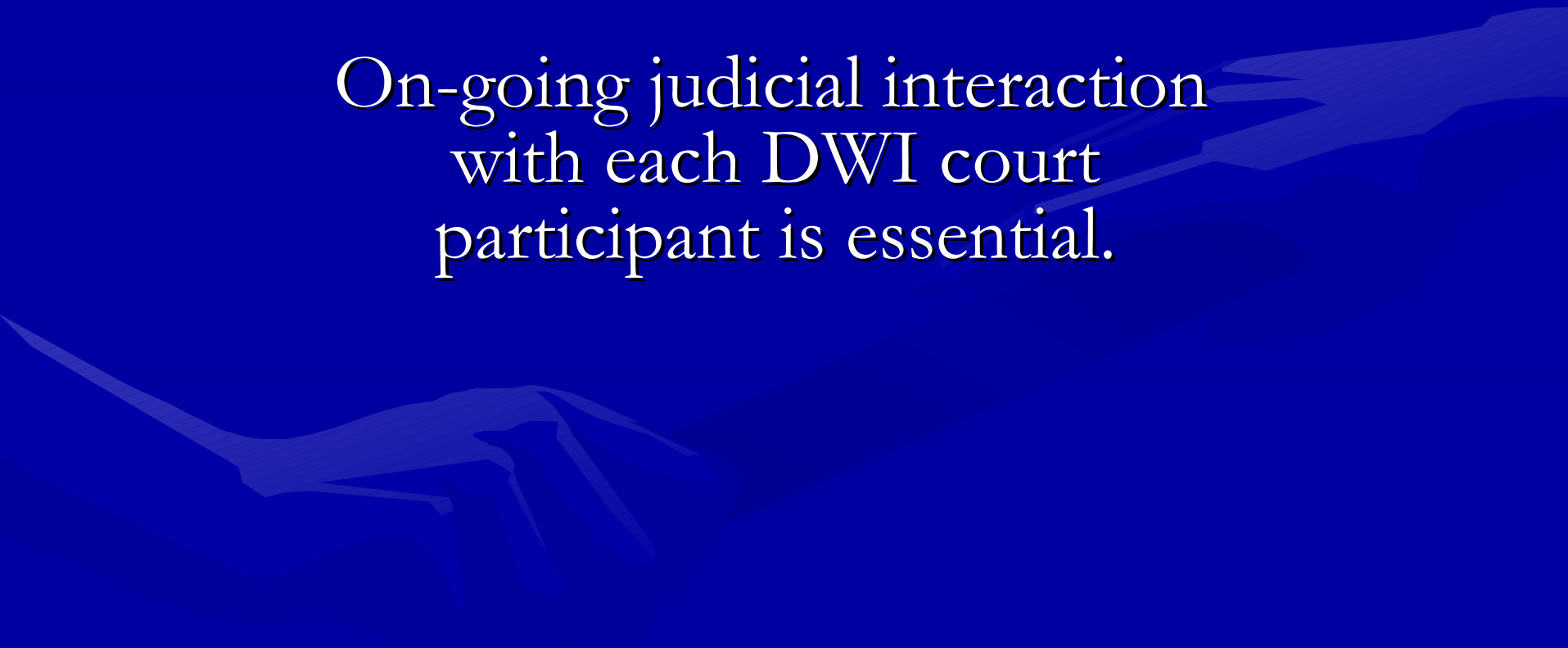
Medications

Critical Element 4

A coordinated strategy governs
DWI court responses to
participants' compliance.
Collaboration is the key!

Critical Element 5

On-going judicial interaction
with each DWI court
participant is essential.

A faint, stylized background image of two hands shaking, symbolizing agreement or partnership, is visible behind the text.

Critical Element 6

All components of the DWI court are accountable to the judge.

DWI Courts:

Over 60 “DWI Courts” are now in operation; 25 in planning; and many more “hybrid” Drug/DWI Courts operational

Bernalillo County, New Mexico
Recidivism: 15.5% vs. 28.5% (2 yrs)

Butte County, California
17% vs. 40% (2 ½ yrs)

Lansing, Michigan
Recidivism: 13% vs. 33% (5 yrs)

Innovation is Crucial

- Naltrexone

(Percy Menzies will discuss in detail)

- Scram device

- Other tether devices

- Random home visits

- Random Testing

Naltrexone



Percy Menzies will discuss
Naltrexone in detail. It works.